

COMMON GROUND

CONSTITUTIONAL THEORY for the 21st CENTURY

Anonymous

Free Speech / Free Press
Reedsport, Or

No copyright. This book may be reproduced.

Formerly entitled "LESSONS OF MASS INSTRUCTION" published with assistance by Dancing Moon Press, Newport, Oregon.

Library of Congress control number: 2008900440

ISBN 9-781892-076410

EAN 9781892076410

Independent Book Publication Number (IBPN) 07

Ignorance of the law is no excuse. Therefore, study to show yourself approved, rightly dividing fact from fiction.

Chapter / Page

Common Ground / 1

Internal Polity / 2

Bill of Rights? / 5

Eleven – Twenty-seven / 9

Conclusion / 16

Reference / Page

Declaration of Independence / 18

Articles of Confederation / 21

Northwest Ordinance / 26

US Constitution / 30

4 USC§8 / 37

First Proposed Amendments / 38

Foreword

We need to talk about that which surpasses understanding, learn from the history of what we believe, and set wrongs right. In other words not so common, it's the ontological dialectic of love, to reason through epistemology, and the responsibility to recuse de facto authoritarianism that will save us from ourselves.

We all have personal beliefs stemming from the first decade of life. Therein I believe lies the causation behind behavior contrary to what Cicero said is reason that's right and natural. What we were taught individually may not have been true; hence what we believe now may be suspect, but is absolutely subject to a collective consciousness that predominates, regardless if it is right and natural or not. This herd instinct guides without reason; but its history provides insight into our cultural evolution.

For millennia we have been culturally evolving from ages dark and despotic but have yet to actualize the will of the people, even though "We the People..." begins a document that guarantees republican governance. It places the supreme power into the hands of the people but there's only one representative for how many? And if you could, would you follow the principles enshrined in "We the People"?

The who in the "We" and the principles therein are difficult to see through the fog of orthodox history, but the original constitution can be read. It needs to be rediscovered/discovered so that we can know who "We" were, who "We" are and who "We" want to be. We cannot know each other's heart, but we can and must know the utility of "We the People".

The justness of ensuring domestic tranquility, providing for a common defense / heart, promoting the general welfare / equality, and securing the(se) essential blessings of liberty for posterity is the American dream obfuscated by what ought to be called false-politick: the realpolitik that forfeited truth for the sake of our exceptionalism; the manifest destiny of which is now at a crossroads.

To find the path towards "a more perfect union" calls for common knowledge of what a republican form of government is. An educational tool could be a reincarnation of Uncle Sam, using his pointing finger to inform and remind people that it's up to YOU: the consent of the governed. He could also point out the fact that Russia and China have written constitutions, and they provide for republican governance; hence, the object of government policy both foreign and domestic, must needs be republicanism.

For this first principle to inspire us to live in agreement with our Constitution calls for common knowledge of it. The first problem with this first principle is language. What was written by those now long dead has been subject to interpretation, resulting in rule of law that means different things to different people at different times. Resolution lies in the context in which our Constitution was written.

This context must be limited to the Declaration of Independence, the Articles of Confederation, the Northwest Ordinance and the Constitution, without the amendments since they have failed to prevent what the Federalist papers predicted if the constitution was never ratified, and ironically, what the Anti federalist papers predicted if the Constitution was ratified; the Bill of Rights did not prevent a civil war, a standing army, foreign intrigue, and taxation out of proportion with representation.

Reading without this context has been the bane of right reason, but has been a boon for legal

practitioners profiteering from a tradition of exponentially exploding legalese. This tradition has left a trail of precedents leading back to what Lexus Nexus entitles organic law, but there's no mention of intention other than our Constitution's preliminary explanation of purpose, which has been derogated from what it is by pre-century constitutional theory: a living document that's become a tradition more Britannic and mercantile than constitutional and republican; but! The Great experiment is not a done deal.

It needs to be made clear that food, shelter, transportation and communication are the preconditions for liberty, and must be guarded from market liberality by regulating commerce. To stop commerce from regulating Congress, the principles enshrined in the 1789 Constitution must define rule of law; the first principle of which, is the consent of the governed through apportioned representation in proportion to population growth.

The social psychosis of people with advantage telling sycophants stupid things to tell stupid people so stupid people will do stupid things to other stupid people who are told stupid things too is the worst crime the world will ever know. It's the root cause of all that's wrong. And this wrong cannot be the will of "We the People". Think about it! We the people forming a perfect union is the sum total of all religiosity. It's our cultural evolution; but it calls for the consent of the governed: YOU!

The Constitution's preamble is inspirational. It provides a clear explanation of purpose. We need to let it inspire us to "Think globally, act locally!" – This quip does not mean to invade other countries and establish a police state at home. – If you love yourself and your family, follow the course laid down to improve our union. Read our constitution in the context in which it was written. Follow the dictum to "study and show thyself approved." Rightly divide fact from laws contrary to the intentional law that was handed down to rule in agreement with "the consent of the governed"; then! Talk about Article One Section Two (the proportionate representation clause) and Article Six (the in pursuance thereof and notwithstanding clauses) and how to enforce our social contract. – Deferring payment for taxes, withholding it 'till constitutional wrongs are set right, needs to echo in the halls of Congress.

Common Ground

Despite centuries of partisanship, “*the supreme law of the land*”(TSL)¹ remains common ground. Unfortunately, there’s no common knowledge of context! Without it, designs to reduce opposing partisans under absolute despotism will continue, undermining TSL’s language and the rule of law. To eradicate this culture-sickness calls for common knowledge of common ground.

Exposing common ground for what it is and building consensus in agreement with it is renaissance politics: ordaining the original text of the Constitution supreme, identifying with its principles to “*effect (our) safety and happiness*”² and accepting individually, the responsibility of a free people to be so principled that we consent to “*ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the(se) blessings of liberty.*”⁴

Essentially, renaissance politics calls for the sum total of our behavior and thought to evince tranquility, heart and equality because to “*ensure domestic tranquility*” means to secure it; “*provide for the common defense*”: heart to defend common ground; “*promote the general welfare*” implies equitable well-being: the blessing of equality.

When tranquility, heart and equality are secured, justice 4 will be established and the union will be improved. This defines “*In pursuance thereof.*”¹ It’s culture-dependent since “*Governments (have been) instituted among men, deriving their just powers from the consent of the governed.*”²

Consent of the governed is the First Principle of government, whether it be through fear, popularity or money. “*Taxes without... consent*”² was fundamental to The Revolution; after which, the AOC dictated: “*taxes shall be levied...(in proportion to the value of) land, buildings and improvements.*”⁵ TSL’s improvement: “*all duties, imposts and excises shall be uniform.*”⁶ – Duties and Excises are imposts. Imposts are generic; all taxes are impositions. A

For impositions to be uniform, they must be levied to guarantee “*a republican form of government.*”⁷ A republican democracy has nothing to do with the Republican Party, just as democracy has nothing to do with the Democratic Party; but everything to do with “*Representatives and direct taxes shall be apportioned...not to exceed one for every thirty thousand, but each State shall have at least one representative.*”⁸ – Some states in 1789 had too few people; hence at least one. –

TSL is our social contract. Laws must be “*made in pursuance thereof.*”¹ Therefore, limiting representation and increasing taxes “*without regard to any census or enumeration*”⁹ has not been lawful. With no increase in the number of representatives in proportion to population growth, consent from most taxpayers diminished; now silenced. True representatives are detained in state legislatures or homeless, protesting in the street or on line; but! There is no petition to redress their number in Congress. This disconnect calls for renaissance politics.

1. Article 6, p36 2. Declaration of Independence, p18 3. I: Articles of Confederation, p21 Preamble, 30 5. VIII: Articles of Confederation, p22 6. Article1§8, p32 7. Article 4§4, p35 8. Article1§2, p30 9. Amendment 16, p12 A Black's Law Dictionary, Fifth Edition

4.

Internal Polity

*“Do ordain and establish this constitution”*¹ and *“laws...in pursuance thereof...shall be the supreme law of the land”*² empowered us with a covenant. Context provided a sword: *“Any thing in the constitution of any state to the contrary notwithstanding.”*²

Anything to the contrary is false-politick: any thing that does not follow the 1789 constitution (TSL). To follow it, the body politic must be informed, inspired, and responsive to improve upon the AOC, forming *“a...perfect union”*,¹ building consensus to inviolably observe TSL’s republican principles. *“Laws (must be) made in pursuance... thereof... judges in every state...(must be) bound thereby.”*²

Article 1§7 provides a break and steering, but the expertise of a scribe transcribing from a draft with cross-outs, arrows, hash marks and side notes was presentation, not content. Congress has one, not two houses; hence, §7 needs to be construed so that *“that house in which it shall have originated”* is the House of Representatives. *“If...two thirds of that house shall agree to pass the bill, it shall be sent...to the other house,”*⁴ which is the Senate. All bills must originate in the House to effect *“the consent of the governed.”*⁵

Furthermore, what's not common knowledge is the correct size of the House. The first proposed amendment sought to accommodate a growing population by limiting representatives to no more than one for every 50 K when they reached 200 in number. ⁶ It was never ratified. One for every 30 K remains constitutionally correct, despite constitutionally incorrect Britannic partisans who after The Revolution formed private clubs and kept their politics secret; became known as “Know Nothings.”^B Long after infiltrating Congress, contrary PL 62-5§3 was passed, which limits representation numerically to that of 1911: 435 representatives.

What followed this apparently unintentional coup' d'etat was the exponential increase in immigrants looking for a better life; some of which intentionally gerrymandered the shape of congressional districts and, privatized electors.

Private party electors don't actually vote. A so-called popular vote for a lesser evil determines which party wins to have their local electors cast accordingly. PL 62 also limited the number of electors, as they are equal in number to Congress people. And electoral counts may differ due to “winner takes all” electoral votes in most states. Democrats and Republicans call what they do democracy! Little do they seem to know, we are a constitutional republic.

To be more constitutionally correct, state appointed electors, appointed through the virtue of democracy, need to choose presidents and representatives. This is republican democracy. It calls for face to face communication so as to empower electors.

We are all electors but constitutionally some of us need to be state appointed, *“equal to the whole number of Senators and representatives to which (a) State may be entitled in the Congress.”*⁷ Old World German electors for a king were chosen by a ruling class, but in our constitutional republic, state appointed electors must be popular to effect *“representatives chosen...by the people.”*⁸ We need to choose state appointed electors from people we know and trust through local popular votes.

*“The qualifications”*⁸ for an elector vary from state to state, but what they need to know and do is know who is who and who will best represent their district, and choose a president that will *“defend the*

Constitution.”⁷ It says, at least “*Twenty-five years*”⁸ for representatives, “*thirty years*”⁹ for senators and “*thirty-five years*”⁷ for president, which implies young representatives, older but still young senators and older but not over 40 years young for President. These ages allude to older and wiser electors.

To ensure impartiality, electors must choose representatives who “*shall not, when elected, be an inhabitant of that State in which (they) shall be chosen,*”⁸ and presidential candidates, “*one at least shall not be an inhabitant of the same State with (an elector).*”⁷ They need to be knowledgeable but not too familiar; residents, not inhabitants. — The word inhabitant implies to be permanent; established. “*A resident within the United States*”⁷ implies otherwise. Residents are generally younger; not established. — “*The age of twenty-five years, and been seven years a Citizen;*”⁸ “*the age of thirty years, and been nine years a Citizen;*”⁹ and “*the age of thirty-five years, and been fourteen years a resident*”⁷ imply young people in government. Older established people, electors.

“*Senators...six years*”⁹ and “*president four years*”⁷ improves upon three years in “*a six year term*”¹⁰ for delegates and one year in a “*three year term*”¹¹ for president. These terms included breaks of three and two years. Then a person could have been chosen a second time. Longer time in office ensures continuity but too much familiarity corrupts those in office; hence, six and four year term limits.

“*Representatives chosen every second year*”⁸ mandates a revolving door for people to mix with legislative power. It’s the table where knowledge and power meet. Originally, this table consisted of “*no less than two, nor more than seven*” from each state and for “*no more than three years.*”¹⁰ Then the idea of representation increased: “*For every five hundred free male inhabitants, there shall be one representative,*” and “*shall serve for the term of two years.*”¹² This sounds very republican, but to qualify as a representative he was to “*hold...two hundred acres of land,*” and “*fifty acres to qualify as an elector of a representative.*”¹² To improve the union, “*the (popular) elector(s) in each State (need to choose for every) thirty thousand free persons...one (representative) every second year.*”⁸

The second steps into republican democracy dance around trust and familiarity. Non-appointed electors trust state legislators⁹ to be familiar with former House members and choose those most suited for the senate. Reaching the age of 30 qualifies; one third of which, has a new face every two years. “*The seats...of the first class shall be vacated...the second year,*” 2nd class “*the fourth year,*” and 3rd class “*the sixth year.*”⁹ After eight years of congressional experience, reputations will dictate to electors who will “*defend the Constitution.*”⁷

TSL's paragraph structures are often long complex sentences. Subordinate clauses often refer to what can only be inferred. “*During good behavior*”¹³ calls for a close reading of IX: AOC. Bad behavior was dealt with by choosing judges “*by lot.*”¹⁴ Originally, all judges were overseen by congress assembled. Their continuance in office ended after one case. ¹⁴ They can be “*removed from office...for misdemeanors.*”¹⁵ – See page 19 for more on constitutionally correct judges. – From “*whole number of free persons, excluding Indians not taxed*”⁸ we can infer First Nations are sovereign nations. From “*Three-fifths of all other persons*”⁷ we can see no applicability: “*Importation of such persons..., shall not be prohibited... prior to the year of 1808.*”¹⁶ – The importation of slaves was prohibited after 1808.

Slavery as it was known was wrong! The general consensus of congress assembled in 1787 agreed, “*There shall be neither slavery nor involuntary servitude.*”¹⁷ Constitutional Theory here claims that slavery as a punishment for a crime is the only place for it if it restores justice. It's only because we enslaved innocent people that the importation of such persons became such a national concern, TSL prohibited it.

Unfortunately, we have a cultural heritage of denial and make-believe. Many of us deny the house rules of what was and still is to some, the new homeland, and make-believe what was taught at William and Mary and Harvard and Yale before The Revolution, which has culminated in opinions that derogate common ground from what judges are “*bound by oath or affirmation to support:*”² “***Representatives and direct taxes shall be apportioned...not to exceed one for every thirty thousand.***”⁸

With a population of over 300 million, Congress needs to do what it should have done a hundred years ago: remove the walls of the House, which is not as absurd as it sounds. Think about it! To be more constitutionally correct, individual State legislatures need to serve as individual chambers in a fifty chamber House of Representatives. Congressional districts need to be limited in size to 30 K and send a “*resident*”⁷ rather than a long established “*inhabitant,*”⁸ to represent them in their state's chamber. Thereby, eliminating cronyism and redundant layers of State and County governments, abdicating to state chambers through apportionment or to local government through community, the details of internal polity.

In order for representation to be constitutional, “*No capitation or other direct tax shall be laid unless in proportion to the census.*”¹⁶ Every “*ten years*”⁸ representatives must increase in number in proportion to population growth to make taxes “*uniform.*”¹⁸

Common ground calls for common sense rather than contrary legislation with no common understanding, as that of Title 26 of the CFR: The IRS Code. In return for the astronomical tax revenue collected every year, there is one representative for every 500,000 + tax payers. But! The Union is not a done deal! Governance has been an aberration in the cultural evolution of human kind. It cannot be the sum total of our behavior and thought. It calls for us to apologize / forgive, turn the page and focus on the First Principle of government.

The so-called bill of rights has failed “*to prevent misconstruction or abuse of the Constitution's powers.*”⁶ It says that to gain knowledge of how fares the general welfare and propose appropriate legislation accordingly, representatives need to be well apportioned, be 25 – 30 years young and limited to two years. In the 21st Century, “*in pursuance thereof*” needs to mean “*anything to the contrary notwithstanding*”² : an ax to clear away the amendments and contrary legislation, and keep anything to the contrary from having easy access to internal polity

1. The preamble, p30 2. Article 6, p36 3. XIII: Articles of Confederation, p25 4. Article 1§7, p31
5. Declaration of Independence, p18 6. First proposed Amendment, p38 7. Article 2§1, p31
8. Article 1§2, p30 9. Article 1§3, p30 10. V: Articles of Confederation, p21 11. IX: Articles of Confederation, p22 12. NW Ordinance: Sections 9&10, p26 13. Article 3§1, p34 14. IX: Articles of Confederation, p23 15. Article 2§4, p34 16. Article 1§9, p32 17. NW Ordinance: Art. Six, p29
18. Article 1§8, p32

The Bill of Rights?

The First Amendment: *“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”*

The first Amendment is one paragraph with one sentence. The subject is Congress. Its verb phrase begins with “shall make no law respecting”, then makes a list. First on it is an establishment of religion, which we may infer to be state sponsored, as the Church of England once was; but! *“No religious test shall ever be required... (for) any office or public trust.”*¹ The fear of state sponsored religion is thus a moot point, notwithstanding numerous outspoken individuals who claim this is a Christian land! The majority may be Christian, at least by birth, but the Spirit of Christ may have inspired *“No person...shall ever be molested on account of his mode of worship or religious sentiments.”*²

Separation of religious sentiments and the state does not prohibit spiritual recourse. Contextually, it was *“By the authority of the good people”* who appealed to *“the Supreme Judge of the world for the rectitude of... intentions,... and (had) a firm reliance on the protection of Divine Providence.”*³ Spiritual concord is found in *“the Great Governor of the World... hath pleased to incline the hearts of the legislatures.”*⁴ Spiritual necessity inspired *“We...do ordain this constitution.”*⁵ Instead of a separation from the state, the spiritual recourse found in *“the laws of...nature's God”*³ needs to instill constitutional integrity in the state.

Second on the list is “prohibiting the free exercise thereof;” but! *“No person...shall ever be molested on account of his...religious sentiments”*² and *“no religious test shall ever be required...(for)...public trust.”*¹

Third on the list is abridging the freedom of speech; but! *“Freedom of speech and debate in Congress shall not be impeached or questioned.”*⁶ TSL improves upon free speech in Congress with utility.⁷ *“Science and useful arts”*⁷ must effect appropriate technology. With that said, the utility clause draws a line between commerce and exploitation with a chain of trust: *“securing for limited times to authors and inventors exclusive rights to their writings and discoveries.”*⁷ “

“Limited times” is a constitutional construct to keep one man's liberty from becoming a form of tyranny over others. Patents must be granted for limited times because “Frugality of fortune and equality, though in themselves different, cannot subsist separately.”^A First Nation songs, dancing and regalia allude to this knowledge. It's the purpose of art. The Totem of the People and the Dance of the Eagle B demonstrate how the blessings of liberty cannot subsist separately; but when secured among people, the human experience is happy and safe.

Fourth is “or the press.” To make internal polity transparent, not only *“public acts, records, (and) judicial proceedings”*⁸ must be published but public servants must be observed 24/7.

Finally, “the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” It's a well apportioned House of Representatives that must peacefully assemble. Protesting in the street is cultural fall-out from Europe's Dark Ages. To enable a more constitutionally correct Judiciary to redress all grievances, it must be empowered through apportioned representation not to exceed one representative for every 30 K and no more than 30 K for one representative. Then former representatives, appointed by the president, can preside at *“such inferior courts as the congress may*

ordain and establish,”⁹ maintaining objectivity by their “continuance in office (and)...a compensation (for services)”⁹ ending after hearing one case, and never being chosen again. Former senators ought to be appointed to a supreme court that has original jurisdiction when “a state (is) a party.” Otherwise, “appellate jurisdiction.”¹⁰

The Second Amendment: *"A well regulated militia, being necessary for the security of a free state, the right of the people to keep and bear arms, shall not be infringed."*

Various transcriptions of this amendment are in print today. They are all one paragraph with one sentence. The above transcription is the one archived in Washington. The verb phrase “shall not be infringed” applies to the subject, but is the subject a right to bear arms or a well-regulated militia? As construed here, well regulated implies education. The two subordinate clauses describe the nature and necessity of a constitutionally correct militia: the right of the people to keep and bear arms for the security of a free state.

– Militarized police, gangs and the on-going war within our borders is not for the security of a free state! –

In Article 1§8 and Article 2§2 there can be seen how Congress is responsible “*for calling forth the militia,*”⁷ the president is its “*commander*”¹¹ and state legislatures “*appoint... officers, and...train... the(ir) local militia(s) according to the discipline prescribed by Congress.*”⁷ Thereby, creating a network of diverse people to “*execute the laws of the union...suppress insurrections and repel invasions.*”⁷

For the security of our free state, our militia must be empowered with a foundation of public education that enables us to feel and to know a common passion. Common knowledge of the only thing we have in common that is as specific as eye color or the shape of a nose and the context in which it was written, will unite us with human equity: the unmovable force of we the people solidarity. By defending TSL in this context, our militia will develop community based on common knowledge of common ground. This will provide our militia with heart to defend us from “*any thing to the contrary.*”¹

Axing the Second Amendment will not take weapons away from anyone, but it will quell the violence of our gun culture, replacing it with viable community: the social responsibility to participate. Without community, guns have perforated life, liberty, safety and happiness with fear.

Fear has been good for business. Profiteering from it overstepped the security of our free state when President Eisenhower warned of a military industrial complex. Its war on terror has created the uneasy peace of killing fields scattered around the world. We need to get back to TSL and defend it. Liberty and securing its blessing of providing for the common defense needs heart to defend Common Ground. Common knowledge of it will be the best defense.

Third Amendment: *“No soldier shall, in time of peace be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.”*

TSL: “*Congress has power...to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.*”⁷ Why: “*Standing armies.*”³ The effect of “*large bodies of armed troops*”³ manned by the same people for more than two years, is to subject citizens to military familiarity and the corruption it breeds; for the sake of a career, war is not seen as the crime that it is. Its first casualty has always been truth.

To prevent war, we need to set an example worth emulating: Defending our constitution; regulating commerce to establish the justness of liberty enshrined in the preamble, effecting safety and happiness rather than cooperate hegemony. Equal representation at the table where knowledge and power meet will “*effect safety and happiness*”³ domestically. Globally, it may effect world peace.

Fourth Amendment: “*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*”

Instead of a right it's our responsibility to question authority. The context of “*the privilege of habeas corpus*”¹² prohibits authorities to “*harass our people.*”³

The Fifth Amendment: “*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*” **Sixth Amendment:** “*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.*” **Seventh Amendment:** “*In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.*” **Eighth Amendment:** “*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*”⁷

The Amendments were written to “*prevent misconstruction or abuse,*”¹⁵ not violate intents and purposes. To settle all disputes, former representatives must be appointed to preside at “*inferior courts*”⁹ and try all crimes “*by jury.*”¹⁰

Some First Nations use “Circle Sentencing.” The offender and the offended sit face to face, surrounded by a circle of family members and House Chiefs. After reaching consensus, various forms of payment are made to victims. It serves as a deterrent against crime when young impressionable people witness a Circle Court.

Jury trials need to be frequented by students as part of a constitution based public education. This will not only inform about the consequences of bad behavior, but will build integrity that defines us as a people.

The Ninth Amendment: “*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*” **Tenth Amendment:** “*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.*”

The only rights enumerated in TSL are, “*The Citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states.*”¹³

“Powers not delegated” implies might. Our immigrant ancestors had might; but did they have the right to trash the land and culturally decimate indigenous people? The so-called Bill of Rights obfuscated TSL as our social contract, causing the Red holocaust. – It took centuries, but millions were slaughtered. – Stories have been lost, compromising the symbolic integrity of the Bald Eagle, the wisdom of elders, and the justness of liberty.

But the justness of tranquility, heart and equality conflicts with pre-century Euro-American culture, "man's heart is evil!"^B How can we, a nation of immigrants, change? Answer: A Childish heart needs parenting and a constitution based public education that teaches not revolution, but cultural evolution: the responsibility to ordain TSL “the supreme law of the land.”

The Great American Experiment shows a fleeting moment of eternally perfecting people based polity. We are evolving from a nation of immigrants, many of whose ancestors brought the tyranny they were fleeing from with them. Partisan parties, religious hatred, dollar-driven megalomania and a military mental complex are ingrained into the American psyche, affecting behavior and thought to be contrary to the justness of liberty: a ten-year-old left home alone with car keys; but! The principles enshrined in TSL define us as a people governed by the rule of law; we are culturally evolving into a constitutional republic.

Secure the blessings of liberty! Accept responsibility! Be patriotic! Love each other enough to talk about the First Principle of government, and how one representative for hundreds of thousands can only hear the voice of corporate America waving the flag for profit.

Capitalism is not a constitutional construct! “*Securing for limited times*,”⁷ applies to an “*exclusive right to writings and discoveries*,”⁷ which lays the foundation for a corporate structure. Furthermore, “*The flag should never be used for advertising purposes in any manner whatsoever*,”¹⁴ because by doing so, the republican principles it stands for are derogated by profiteering. The maleficent exploitation of common needs is despotic trickle-down tyranny: corporate UN-Americanism.

Cultural evolution is enshrined in the preamble and assured by the “*guarantee to every state..., a republican form of government*.”¹⁵ – That's one representative for every 30 K, term limits, age restrictions, popular votes for electors who choose presidents and representatives, representatives who choose senators from former representatives, and former congress people appointed to be judges that support TSL.

1. Article 6, p36 2. NW Ordinance: Art. 1, p28 3. Declaration of Independence, p18
4. XIII: Articles of Confederation, p25 5. Preamble, p30 6. V: Articles of Confederation, p21
7. Article 1§8, p32 8. Article 4§1, p35 9. Article 3§1, p34 10. Article 3§2, p34 11. Article 2§2, p34
12. Article 1§9, p32 13. Article 4§2, p35 14. 4USC8§1, p37 15. First Proposed Amendments, p38
- A. “The Spirit of Law”; Montesquieu B. “The Iroquois Eagle Dance”; Fenton & Kurath
- C. King James Bible

Eleven – Twenty-Seven

Amendment Eleven: Passed 04MR1794. Ratified 07FB1795. “*The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.*”

But! “*The judicial power shall extend to controversies between a state and Citizens of another state, or...foreign states.*”¹ Amend means to correct and improve, not violate and abuse. This amendment violates the supreme court's “*original jurisdiction.*”¹

Amendment Twelve: Passed 09DC1803. Ratified 15JE1804. “**Section 1:** *The Electors shall meet in their respective states, and vote by ballot for president and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice- President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; – The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; – The person having the greatest Number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.*”

Even though Jefferson said, “The greatest good we can do our country is to heal its party divisions and make them one people,” his first term ended with replacing, “*after...the president...the person having the greatest number...shall be...vice president*”² with “vote by ballot for president and vice president.” Defending the principles previously enshrined gave way to offending with the principles of partisanship.

Partisanship evolved from European democracy. The common quest for power and prestige began with the Magna Charta. Its primary documents granted public advantage first to barons, then churches which were controlled by barons, then to a city's government. Its documents evolved over many centuries by judges in English courts and became known as common law. But what's truly common about British law is it allows for niggardliness; the economically obsessed pander to the tyranny of those economically oppressed. Common law concepts are “case centered and hence judge centered, allowing

scope for judicial discretion,”^A then digress with rule of law that says nothing of tranquility, heart and equality, the justness of the law. They simply describe how the legal system upholds the law, which derogates the preamble of the US Constitution from what it is: a preliminary explanation of purpose.

The purpose of TSL is to culturally evolve democracy from a grab bag of who gets what and how much is never enough, into “*a republican form of government*”³ that will “*effect (our) safety and happiness.*”⁴

The Old World continues to plague the New because prestigious universities were around before The American Revolution. British-like standards are still mimicked throughout the United States in public schools. A constitution based education will turn the page and start a new chapter. A paradigm shift from purported nobility and pompous ceremony towards common knowledge of common ground.

Amendment Thirteen: Passed 31JA1865. Ratified 06DC1865. “**Section 1:** *Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2:* *Congress shall have power to enforce this article by appropriate legislation.*”

“*Neither slavery nor involuntary servitude*”⁵ preceded this amendment in the Northwest Ordinance, which is Britannic; but contextually, the reason for the Constitution is made clear. Without context the glamour of ignorance leads to the pitfalls of history and repeats them.

This amendment did not abolish slavery as a punishment for a crime, which it should be; but crime is not the problem. It’s the cause of crime. With no national integrity based upon tranquility, heart and equality, parenting and schooling will fail us. If we don’t learn from British mistakes, they will be our future.

TSL permitted slave trading until “*the year 1808.*”⁷ Before the Civil War there were “free people of color...famous for their wealth, culture, and education;”^B but their constitutional ignorance allowed for the ignorance that racism is. We need to learn from their mistakes; be constitutionally correct rather than politically corrected.

Amendment Fourteen: Passed 13JE1866. Ratified 09JL1868. “**Section 1:** *All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*”

“*Attain the age of twenty-five and been seven years a Citizen*”⁶ implies that at the age of 18 a person’s citizenship is confirmed. Since the Civil War, “*The whole number of free persons*”⁶ does not exclude ex-slaves. This section repeats part of the Fifth Amendment and ignores, “*the trial of all crimes... shall be by jury.*”¹

“**Section 2:** *Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the*

whole number of male citizens twenty-one years of age in such State.”

Section 2 paraphrases, “*apportioned among the several States...according to their respective numbers...determined by adding the whole number of free persons,*”⁶ then contradicts itself with, “male inhabitants...21 years of age;” which implies that representation in the House applies to males only instead of “*the whole number of free persons.*”⁶

“Section 3: *No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.”*

Insurrection is the insurgency that continues without firing a shot. Instead of regulating commerce, commerce regulates Congress. It's a quiet force unsurpassed by any former reign of terror in the history of the world: “we have met the enemy and he is us.”^c

The truth we have to face as a people is how culture-dependent internal polity actually is, and how its corruption developed into a general consensus that capitalism is a constitutional construct. Success is a dollar amount? This falsehood has created our culture of greed: a quagmire of acquisition, control and protection; but! EXPLOITATION within a competitive system of privately seeking public advantage corrupts the most basic principle of democracy; because VIRTUE, within a cooperative system of majority rule, depends on the most basic principle of republican democracy: RESPONSIBILITY!

With no responsibility, people became oblivious. Pre-century constitutional abuses culminated in today's obvious socio-eco-economic imbalance of life.

“Section 4: *The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void. The Congress shall have power to enforce the provisions of this article, by appropriate legislation.”*

Money drawn from the treasury for military contracts and pensions in consequence of appropriations made by laws contrary to “*in pursuance thereof*”⁸ have created our military mental complex. To “*execute the laws of the union (and) repel invasions*”⁹ does not mean to establish a police state and invade other countries. “*No appropriation of money for a longer period of time than two years,*”⁹ limits military service. “*A compensation for their services*”¹⁰ does not mean a pension.

Amendment Fifteen: Passed 26FB1869. Ratified 03FB1870. “*The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation.”*

This amendment ignores the fact that “*the Citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states*”¹¹ and representatives must be “*chosen every second year*

by the people of the several States.”⁶ There never was a Federal law prohibiting those represented in congress to vote, which in our “republican form of government”¹² are constituents of “the whole number of free persons.”⁶

Amendment Sixteen: Passed 02JL1909. Ratified 03FB1913. “*The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.*”

This amendment violates the first principle of our republican democracy! “Representatives and direct taxes shall be apportioned...according to their respective numbers...not to exceed one for every thirty thousand.”⁶

Amendment Seventeen: Passed 13MY1912. Ratified 08AP1913. “**Section 1:** *The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.*

Section 2: *When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.* **Section 3:** *This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.*”

No trust and familiarity due to too few representatives culminated in this amendment. Representatives must increase in number proportionately with population growth so their constituencies can know and trust them; and for them to be familiar with former representatives most suited for the senate.

Amendment Eighteen: “Passed 18DC1917. Ratified 16JA1919. “**Section 1:** *After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, (or) the importation thereof into, or the exportation thereof from the United States and all territory subject to the “jurisdiction thereof for beverage purposes is hereby prohibited.* **Section 2:** *The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.* **Section 3:** *This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.*”

Instead of amending the constitution, Congress needs “to regulate commerce”⁹ in agreement with “the laws of...nature.”⁴ Think about it, “Nature's breath is our breath.”^E Alcohol mollifies the human spirit but inebriates the mind; has caused everything from unwanted pregnancies to violent crimes. The logic of “reason right and natural”^D dictates: afflictions from hedonic addictions cannot co-exist with the essential blessings of liberty.

Amendment Nineteen: Passed 04JE1919. Ratified 18AG1920. “**Section 1:** *The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.* **Section 2:** *Congress shall have power to enforce this article by appropriate legislation.*”

Amendment Nineteen ignores “Citizens of each state.”⁶ Article 1§2 is not gender specific. Women were citizens in 1920.

Amendment Twenty: Passed 2MR1932. Ratified 23JA1933. “**Section 1:** *The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.* **Section 2:** *The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.* **Section 3:** *If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.* **Section 4:** *The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.* **Section 5:** *Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.* **Section 6:** *This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.*”

If this amendment were axed Congress could commence and end their service on “*the first Monday in December*”¹⁴ and resolve any issue regarding the electoral process without amending the Constitution!

Amendment Twenty-One: Passed 20FB1933. Ratified 05DC1933. “**Section 1:** *The eighteenth article of amendment to the Constitution of the United States is hereby repealed.* **Section 2:** *The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.* **Section 3:** *This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.*”

The Twenty-First Amendment illustrates what is fundamentally wrong with the concept of a “Living Document.” A forever changing body of law is the surest way to dummy down the masses. Cicero said that laws most knew nothing about were the reason for his republic’s demise. Amendments that contradict themselves and the Constitution do not improve polity. They bind up the rule of law in fatiguing double talk: falsepolitik!

Amendment Twenty-two: Passed 21MR1947. Ratified 27FB1951. “**Section 1:** *No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.* **Section 2:** *This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.*”

Regardless of the history of this amendment, eight years contradicts the Constitution. George Washington was not the first president of “*The United States of America*,”¹⁶ but he was the first to violate the Constitution; he failed to “*preserve, protect and defend... four years.*”²

Amendment Twenty-three: Passed 16JE1960. Ratified 29MAR1961. “**Section 1:** *The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.* **Section 2:** *The Congress shall have power to enforce this article by appropriate legislation.*”

DC is a district reserved for government. Pretending it to be a state with electors has not increased representation proportionately with population growth. Perhaps the size of DC needs to be reduced, relinquishing to adjoining states the land area occupied by needy voters.

Amendment Twenty-four: Passed 27AG1962. Ratified 23JA1964. “**Section 1:** *The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.* **Section 2:** *The Congress shall have power to enforce this article by appropriate legislation.*”

Amendment Twenty-Four forbids a poll tax, but Article 1§9 dictates: “*No direct tax shall be laid unless in proportion to the census.*”⁷ A poll tax is a direct tax!

Amendment Twenty-Five: Passed 06JL1965. Ratified 10FB1967. “**Section 1:** *In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.* **Section 2:** *Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.* **Section 3:** *Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.* **Section 4:** *Whenever the Vice President and a majority of either the principal officers of the executive departments or such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is*

not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.”

This amendment fails to improve “*In case of... death, resignation, or inability...devolve on the Vice President, and...Congress may by law provide for the case of removal... (for) inability, both of the President and Vice President, ((“all civil officers... shall be removed from office...for misdemeanors”. 15)) declaring what officer shall then act...and such officer shall act accordingly, until the disability be removed, or a President shall be elected.”*²

Amendment Twenty-six: Passed 23MR1971. Ratified 01JL1971. “**Section 1:** *The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.* **Section 2:** *The Congress shall have power to enforce this article by appropriate legislation.”*

Amendment Twenty-Six may seem justified but as stated before, “*twenty-five years, and been seven years a citizen*”⁶ implies that at the age of 18 a person’s citizenship is confirmed. “*Fourteen years a resident*”² implies that after residing in the US for 14 years a person’s cognitive ability may be developed. When we become aware of our unique people based polity, we ought to be able to participate.

Twenty-Seventh Amendment: Originally proposed 25SP1789. Ratified 07MY1992. “*No law, varying the compensation for the services the senators and representatives, shall take effect, until an election of Representatives shall have intervened.*”

It does not follow a logical sequence of events to ratify Amendment Twenty-Seven after several elections of representatives have intervened for over two hundred years. Ratifying this amendment in 1992 seems like the great non sequitur of pre-century constitutional theory, until we look at deep state relationships. A context based constitutional renaissance will increase the number of representatives and effect term limits. Thereby, making internal polity more transparent.

1. Article 3§2, p34 2. Article 2§1, p33 3. Article 4§4, p35 4. Declaration of Independence, p18
5. Northwest Ordinance Article 6, p29 6. Article 1§2, p33 7. Article 1§9, p32 8. Article 6, p36
9. Article 1§8, p32 10. Article 1§6, p31 11. Article 4§2, 35 12. Article 4§4, p35 13. The Preamble, p30
14. Article 1§4, p31 15. Article 2§4, p34 16. 1: Articles of Confederation, p21
A. G.Slapper, “The English legal System” B. “Southern Chronicle,” U of O Periodicals C. Pogo
D. Cicero's one true law E. Jesus as quoted in “The Essene Gospel of Peace” By Szekely

Conclusion

The words: “*ordain and establish this constitution*”² are not past tense; they're continuous. And since governments have derived “*their just powers from the consent of the governed*,”¹ the rule of law is cultural. It defines the sanctity of life.

To continue our cultural evolution, cultural fall-out from Europe's Dark ages must be seen for what it is: illusions of grandeur. They obfuscate the behavior of international bankers and companies, creating the first and foremost problem facing us today: the consent of the governed and the politics of opportunity.

Opportunity runs deep into and through the hearts of generations of immigrants. It stems from the fear of tyrannical kings, dictators and emperors when they inspired people to seek opportunity and flee, and to have faith in something beyond government until Constantine in the 2nd Century, used faith as a tool of government. Conjoined Christianity, Judaism and Paganism, declaring one god, one religion, one emperor; out of which, evolved old and new testaments and the Easter Bunny.

In the US, “*no religious test shall ever be required... for public trust*,”³ but many of us are religious; hence, pre-century religiosity is the bane of 21st Century polity. Nothing has done more to keep us from ordaining the Constitution supreme.

To ordain it, we must celebrate it. Defend it; secure the essential blessings of liberty to us by the just powers of government derived from us. Political issues must be applicable to all. “All things political are moral but all things moral cannot be political.”^A Who you sleep with or pray to cannot be since there's no common ground; but food, shelter, transportation and communication are the preconditions for liberty. They determine our general welfare and how equal we are. – When we are not on this page, democracy is insidious. Redressing the number of Representatives is the first page for democratizing Congress, but we need to be on this page to effect the justness of liberty enshrined in “WE the People.”

—

Our general welfare needs to be promoted with equal health care. – All government employees deserve the same health care as veterans, and since 9-11 we're all vets! – Instead of health insurance, think health assurance. Ideally, a garden for every family. Fresh bio-active food has a short shelf life. Pasteurized / processed food has a long shelf life, and it's cheap; but! The chemicality of it is slowly becoming more obvious; just as ethanol has increased engine wear, reduced mileage and has consumed more BTUs in the production of it than the BTUs it has provided, the cumulative effect of synthetic food ingredients may create a good environment for bad bacteria and cause cancer. – When technology becomes more appropriate, BTU equivalents will become a mute point, as hydrogen will inevitably replace fossil fuels; and treating afflictions from hedonic addictions will give way to laws preventing the maleficent exploitation of food. – Prevention is ordaining the Constitution supreme. Its preamble sums up our culture by making clear the utility of laws, philosophies, religions and the arts and sciences. Article One dictates one for every 30 K in the House; which provides a way out of our social-psychosis. Article Six dictates, “*Congress people must “support the Constitution.”*”³ They must read and study it to support “*Limited times*,”⁴ which limits corporate profiteering.

“*To regulate commerce with foreign nations,...the several states, and... Indian tribes*,”⁴ laws must follow the vision of liberty enshrined in the preamble: the straight and narrow path commensurate to

perfection. It's not Zionism or any other religious politic, but it is Divine Will working through people, dictating that government must ensure, provide for and promote tranquility, heart and equality, amalgamating the metaphysical with the political; enshrining the principles of a good king and then abdicating kingship, giving it as a gift that keeps on giving the essential blessings of liberty.

The responsibility to improve our union calls for faith in ourselves to see ourselves in the light of truth. Do the combined fruits of our labor evince tranquility, heart and equality? Think about it! The laws of nature's God entitle us to have a body politic. Its ways and wonders are constitutionally constrained. Disciplining ourselves accordingly is the realpolitik necessary to improve the union.

As it is, between competition and the diffidence of the silent majority, there is taxation without representation. We may talk politics, but since there's no consensus, our politics are a political failure.

Political success depends on securing principles to, “*effect (our) safety and happiness.*”¹ The key is “general in its purpose as well as its nature.”^B It demands common knowledge of Common Ground.

Individually, we have the responsibility of family and community, but ignorance of the law must be no excuse. If our sovereign authority was truly the consent of the governed, it would be our cognition of the essential blessings of liberty and the utility of our pursuits.

People with advantage telling sycophants stupid things to tell stupid people so stupid people will do stupid things to other stupid people who are told stupid things too, describes the unprincipled politics of war.

“Principles (like the ones previously enshrined,) must be the first impressions received; (then) as we prepare for civil life, (each of us will) be governed pursuant to those principles which benefit the great family which comprehends all. (When) the constituent parts are principled, so will the government be.”^C

So will technology be when we ordain the Constitution supreme. This will effect appropriate technology because it will empower us to think not forever of ourselves, not even our own generation, but to think of continuing generations, “whose faces are coming from beneath the ground.”^D

1. Declaration of Independence, p18 2. Preamble, p30 3. Article 6, p36 4. Article 1§8, p32

A. Professor in Max's Tavern, Eugene, OR B. Rousseau; “The Social Contract”

C. Montesquieu “The Spirit of Law” D. Dekanawda, the Algonquin legend of the Peace Maker

Declaration of Independence

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity, which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

— He has refused his assent to laws, the most wholesome and necessary for the public good.

— He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended

in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend them.

— He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

— He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

— He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

— He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the meantime, exposed to all the dangers of invasions from without and convulsions within.

— He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

— He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

— He has made judges dependent on his will alone, for the tenure of their offices, and the amount and

payment of their salaries.

— He has erected a **multitude of new offices**, and sent hither **swarms of officers** to harass our people and eat out their substance.

— He has kept among us, in times of peace, **standing armies**, without the consent of our legislatures.

— He has affected to render the military independent of, and superior to, the civil power.

— He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

— For quartering large bodies of armed troops among us;

— For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

— For cutting off our trade with all parts of the world;

— For imposing taxes on us without our consent;

— For depriving us, in many cases, of the benefits of trial by jury.

— For transporting us beyond seas, to be tried for pretended offenses;

— For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

— For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments;

— For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all case whatsoever.

— He has abdicated government here, by declaring us out of his protection and waging war against us.

— He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

— He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

— He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

— He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people. Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace friends. We, therefore, the representatives of the United States of America, in General Congress assembled, **appealing to the Supreme Judge of the world for the rectitude of our intentions**, do, in the name and by the authority of the good people of these colonies solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE AND INDEPENDENT

STATES; that they are absolved from all allegiance to the British crown and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm **reliance on the protection of Divine Providence**, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Articles of Confederation

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting. Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

I. The Stile of this Confederacy shall be "The United States of America".

II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.

III. The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them. If any person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense. Full faith and credit shall be given in each of these States to , the records, acts, and judicial proceedings of the courts and magistrates of every other State.

V. For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislatures of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year. **No State shall be represented in Congress by less than two, nor more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years;** nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind. Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States. In determining questions in the United States in Congress assembled, each State shall have one vote. **Freedom of speech and debate in Congress shall not be impeached or questioned** in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests or imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

VI. No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, Prince or State; nor shall any person holding any office of profit or trust under the United States, or any of them, accept any present, emolument, office or title of any kind whatever from any King, Prince or foreign State; nor shall the United States in Congress assembled, or any of them, grant any title of nobility. No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue. No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any King, Prince or State, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain. No vessel of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of filed pieces and tents, and a proper quantity of arms, ammunition and camp equipage. No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger so imminent as not to admit of a delay 'till the United States in Congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the Kingdom or State and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

VII. When land forces are raised by any State for the common defense, all officers of or under the rank of colonel, shall be appointed by the legislature of each State respectively, by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several States within the time agreed upon by the United States in Congress assembled.

IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article

— of sending and receiving ambassadors

— entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on

foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever

- of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated
- of granting letters of marque and reprisal in times of peace
- appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts. The United States in **Congress** assembled shall also be the **last resort** on appeal in **all disputes** and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other causes whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a **petition** to Congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or **judges** to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be **drawn out by lot**, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State, where the cause shall be tried well and truly to hear and determine the matter in question, according to the best of his judgement, without favor, affection or hope of reward': provided also, that no State shall be deprived of territory for the benefit of the United States. All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States. The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States
- fixing the standards of weights and measures throughout the United States
- regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated

establishing or regulating post offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office

— appointing all officers of the land forces, in the service of the United States, excepting regimental officers

— appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States

— making rules for the government and regulation of the said land and naval forces, and directing their operations. The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated 'A Committee of the States', and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction

— to appoint one of their members to preside, provided that **no person be allowed to serve in the office of president more than one year in any term of three years**; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses

— to borrow money, or emit bills on the credit of the United States, transmitting every half-year to the respective States an account of the sums of money so borrowed or emitted

— to build and equip a navy

— to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the legislature of each State shall appoint the regimental officers, raise the men and clothe, arm and equip them in a solid-like manner, at the expense of the United States; and the officers and the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed and equipped in the same manner as the quota of each State, unless the legislature of such State shall judge that such extra number cannot be safely spread out in the same, in which case they shall raise, officer, clothe, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. The United States in Congress assembled shall never engage in a war, nor grant letters of marque or reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of men so clothed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. But if vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of the majority of the United States in Congress assembled. The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such arts thereof relating to treaties, alliances or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several States.

X. The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of the nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled be requisite.

XI. Canada acceding to this confederation, and adjoining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

XII. All bills of credit emitted, monies borrowed, and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

XIII. Every State shall abide by the determination of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State. And whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of confederation and perpetual Union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said Confederation are submitted to them. And that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual. In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the Year of our Lord One Thousand Seven Hundred and Seventy-Eight, and in the Third Year of the independence of America.

Northwest Ordinance

(1787) An Ordinance for the government of the Territory of the United States northwest of the River Ohio. **Section 1.** Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient. **Sec 2.** Be it ordained by the authority aforesaid, That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property. **Sec. 3.** Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office. **Sec. 4.** There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior. **Sec. 5.** The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit. **Sec. 6.** The governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress. **Sec. 7.**

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor. **Sec. 8.** For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature. **Sec. 9.** So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every **five hundred free male inhabitants, there shall be one representative**, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a **representative** unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, **two hundred acres of land** within the same; Provided, also, That a freehold in **fifty acres** of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary **to qualify** a man **as an elector** of a representative. **Sec. 10.** The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term. **Sec. 11.** The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills,

having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient. **Sec. 12.** The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government. **Sec. 13.** And, for extending the fundamental principles of civil and religious liberty, which form principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest: **Sec. 14.** It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit: **Art. 1.** No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or **religious sentiments**, in the said territory. **Art. 2.** The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed. **Art. 3.** Religion, morality, and **knowledge, being necessary to good government** and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost **good faith** shall always be observed **towards the Indians; their lands and property shall never be taken from them without their consent**; and, in **their property, rights, and liberty, they shall never be invaded or disturbed, unless** in just and lawful wars **authorized by Congress**; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them. **Art. 4.** The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall

be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor. **Art. 5.** There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand. **Art. 6.** There shall be **neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted:** Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid. Be it ordained by the authority aforesaid, that the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void. Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

1789 US Constitution

We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this constitution for the United States of America.

Article 1 Section 1 All legislative powers herein granted shall be invested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2 The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the elector in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. No person shall be a **Representative** who shall not have attained the age of **twenty-five** years, and been seven years a Citizen of the United States, and who **shall not, when elected, be an inhabitant** of that State in which he shall be chosen.

Representatives and direct taxes shall be **apportioned** among the several States which may be included within this Union, **according to** their respective numbers, which shall be determined by adding **the whole number of free persons**, including those bound to service for a term of years, and **excluding Indians not taxed**, three-fifths of all other persons. The actual **enumeration** shall be made within three years after the first meeting of the Congress of the United States, and within **every** subsequent term of **ten years**, in such manner as they shall by law direct. The number of **Representatives** shall not exceed **one for every thirty thousand**, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three. When vacancies happen in the representation from any State, the Executive Authority thereof shall issue writs of election to fill such vacancies. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

Section 3 The Senate of the United States shall be composed of two **Senators** from each State, chosen by the Legislature thereof, for **six years**; and each Senator shall have one vote. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into **three classes**. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that **one-third** may be **chosen every second year**; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies. No person shall be a Senator who shall not have attained to the age of **thirty years**, and been nine years a Citizen of the United States, and who shall **not, when elected, be an inhabitant** of that State for which he shall be chosen. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present. Judgement in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor,

profit or trust under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgement and punishment, according to law.

Section 4 The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. The **Congress shall assemble at least once** in every year, and such meeting shall be on the first Monday in December, unless they by law appoint a different day.

Section 5 Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgement require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6 The Senators and Representatives shall receive a **Compensation for their Services**, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7 All **bills** for raising revenue shall **originate in the House of Representatives**; but the Senate may propose or concur with amendments as on other bills. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8 The Congress shall have the power:

- To lay and collect **taxes**, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be **uniform** throughout the United States:
- To borrow money on the credit of the United States:
- To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:
- To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:
- To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:
- To promote the progress of science and useful arts, by securing for **limited times** to authors and inventors the **exclusive right** to their respective writings and discoveries:
- To constitute tribunals inferior to the supreme court:
- To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:
- To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:
- To raise and support armies, but **no appropriation of money** to that use shall be **for a longer term than two years**:
- To provide and maintain a navy:
- To make rules for the government and regulation of the land and naval forces:
 - To provide for **calling forth the militia** to execute the laws of the union, suppress insurrections and repel invasions:
 - To provide for organizing, arming and **disciplining the militia**, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:
 - To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings: And,
 - To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Section 9 The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year **1808**, but a tax or duty may be imposed on such importations, not exceeding 10 dollars for each person.

- The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.
- No bill of attainder or ex post facto law shall be passed.
- No** capitation, or other **direct tax** shall be laid unless in proportion to the census or enumeration herein before directed to be taken.
- No tax or duty shall be laid on articles exported from any state.
- No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from one state, be obliged to enter, clear, or pay duties in another.

—No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

—No title of nobility shall be granted by the United States: And no person holding any office or profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Section 10 No state shall enter into any treaty, alliance, or confederation;

— grant letters of marque and reprisal; coin money;

— emit bills of credit;

— make any thing but gold and silver coin a tender in payment of debts;

— pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty to tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in a war, unless actually invaded, or in such imminent danger as will not admit of delay.

Article 2 Section 1 The Executive power shall be vested in a President of the United States of America. He shall hold office during the term of **four years**, and together with the Vice President, chosen for the same term, be elected as follows: Each State shall **appoint**, in such manner as the Legislature may direct, a number of **electors**, equal to the whole number of Senators and representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector. The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least **shall not be an inhabitant** of the same State with themselves. And they shall make a list of all the persons voted for each; which list they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the **greatest number** of votes shall be **President**, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, **after the choice of the President, the person having the greatest number** of votes of the electors shall be the **Vice President**. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States. No person except a natural born Citizen, or a Citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of **President**; neither shall any person be eligible to that office who shall not have attained to the age of **thirty-five years**, and been **fourteen years a resident** within the United States.

In case of the **removal of the President** from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected. The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them. Before he enters on the execution of his office, he shall take the following oath or affirmation: "I do solemn swear (or affirm) that I will faithfully execute the office of the President of the United States, and will to the best of my ability, preserve, protect and **defend the Constitution** of the United States."

Section 2 The President shall be **Commander-in-Chief** of the Army and Navy of the United States, and **of the militia** of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of Impeachment. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments. The President shall have the power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Section 3 He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he may receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section 4 The President, Vice President, and **all civil officers** of the United States, shall be **removed from office** on impeachment **for**, and conviction of, reason, bribery, or other high crimes and **misdemeanors**. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

Article 3 Section 1 The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices **during good behavior**, and shall at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Section 2 The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority;
— to all cases affecting ambassadors, other public ministers and consuls; — to all cases of admiralty and maritime jurisdiction;
— to controversies to which the United States shall be a party;

- to controversies between two or more states,
- between a state and Citizens of another state,
- between Citizens of different states,
- between Citizens of the same state, claiming lands under grants of different states, and
- between a state, or the Citizens thereof, and foreign states, Citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before-mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The **trial** of all crimes, except in cases of impeachment, shall be **by jury**; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3 Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Article 4 Section 1 Full faith and credit shall be given in each state to the **public acts, records and judicial proceedings** of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Section 2 The Citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states. A person charged in any state with treason, felony, or other crime, who shall flee justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime. No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Section 3 New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, without the consent of the legislatures of the states concerned, as well as of the Congress. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Section 4 The United States shall **guarantee** to every state in this union, a **republican** form of **government**, and shall protect each of them against invasion; and on application of the legislature, or the executive (when the legislature cannot be convened), against domestic violence.

Article 5 The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year 1808, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and

that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

Article 6 All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States **shall be the supreme law of the land**; and the **judges** in every state shall be **bound thereby**, **any thing** in the constitution or laws of any state **to the contrary notwithstanding**.

The **senators** and **representatives** before mentioned and the **members of the several state legislatures**, and all executive **and judicial officers**, both of the United States and of the several states, shall be **bound** by oath or affirmation, **to support this constitution**; but **no religious test** shall ever be **required** as a qualification to any office or public trust under the United States.

Article 7 The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

4USC1§8

- (a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
- (b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- (c) The flag should never be carried flat or horizontally, but always aloft and free.
- (d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.
- (e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- (f) The flag should never be used as a covering for a ceiling. insignia, letter, word, figure, design, picture, or drawing of any nature.
- (g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark,
- (h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.
- (I) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- (j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart. (k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

First Proposed Amendments

September 25, 1789, the First Congress of the United States declared, “THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to **prevent misconstruction or abuse** of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.”

Article the first... After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.